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SUBJECT: GUATEMALAQs 2007 TIP REPORT SUBMISSION

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Sensitive but unclassified. Protect entire text accordingly.

¶1. (SBU) Embassy GuatemalaQs point of contact for trafficking in persons (TIP) is PolOff Lucy Chang, telephone [502] 2326-4635, fax [502] 2334-8474. Ms. Chang (FS-2) spent 25 hours on the preparation of this report. FSN Political Specialist Ronald Flores (FSN-9) spent 15 hours, and USAID FSN Project Specialist Lucrecia Castillo (FSN-12) spent 5 hours on the preparation of the report. The data provided below are keyed to reftel paragraphs.

Overview of GuatemalaQs Activities

¶A. Guatemala is a country of origin, transit, and destination for internationally trafficked victims. Trafficking occurred within the countryQs borders, particularly in the border areas and other outlying areas with weak government control, as well as transnationally across borders. Women, children, and migrants continued to be at greater risk of being trafficked than other sectors of the population. The Public Ministry provided some year-end statistics, but there were no reliable estimates or numbers available as to the actual extent of the problem nor reliable information regarding origins and destinations of victims or methods and motives of traffickers. Apart from those statistics, the only sources of information available on trafficking in persons were the handful of USG-funded groups that focus on this problem and limited anecdotal information provided by trafficked victims themselves.

Over the past year, local NGOs undertook three USG-funded studies on trafficking in persons. NGO ECPAT (End Child Prostitution, Child Pornography, and Trafficking of Children for Sexual Purposes) conducted a qualitative analysis of all forms of trafficking, particularly labor and sexual exploitation. The analysis, which has not yet been published, surveys the entire country, with particular focus on the Mexican border area, and documents various aspects of the problem, including the perpetrators, causes, and effects. Catholic Relief Services mapped instances of trafficking throughout Guatemala, and the Guatemalan Association for the Advancement of Social Sciences (AVANCSO) conducted a qualitative analysis of sexual exploitation. The Guatemalan Ministry of Foreign Affairs,

in cooperation with USAID and local NGOs, has developed a national public policy and a 10-year (2007-2017) strategic plan of action to address the problem and to study its relationship to other social problems, such as the commercial sex industry and exploitation of migrants. The plan provides for statistical analysis based on age, gender, and socio-economic status of victims.

1B. The trafficking situation in the country generally remained unchanged from 2005. Information provided by studies conducted by NGOs suggests the existence of networks of transnational sexual traffickers who operate in Central America, primarily transporting victims from El Salvador, Honduras, and Nicaragua to Guatemala. Central American women and girls were also trafficked and sold in brothels in Mexico, Belize, and the United States. The majority of the victims were young women between 19 and 25 years of age, with the number of underage victims reportedly increasing. The lack of immigration and border control facilitated trafficking of persons from El Salvador, Honduras, and Nicaragua to Guatemala and subsequently to Mexico and Belize through official border points or via clandestine land or water routes. Migrant women and children were particularly vulnerable. The main obstacle in prosecuting those responsible for trafficking of persons and related illicit activities was lack of resources, including judges and prosecutors and other justice system personnel specially trained to handle TIP cases. The Guatemalan government, in cooperation with civil society groups and international organizations, is working to intensify its efforts, particularly in the border areas, to address the problem.

Guatemala's anti-TIP efforts in 2006 continued to focus on females, particularly minors, in situations of sexual exploitation. While there was little information available on male victims or victims of trafficking for forced labor, anecdotal evidence suggests that TIP is a growing problem, particularly outside the capital and in areas, such as the southern region, the border with Mexico, and Peten region of Guatemala, where narcotrafficking and other illicit activities have been reported.

ECPAT confirmed the existence of labor exploitation south of the Mexican border where minors are recruited to beg in the streets and to work in the municipal dump in Tapachula, Mexico. These minors were also believed to be victims of sexual exploitation. Local NGO Casa Alianza conducted a study at this municipal dump and in the streets of Tapachula and confirmed (in an internal working document prepared for bilateral discussions between Guatemala and Mexico) that Guatemalan children were being exploited in Tapachula. Labor exploitation of men and women has also been documented among agricultural migrant workers in southern Mexico along the Guatemalan border. The intervention of an NGO, Grupo Beta de Mexico, resulted in the repatriation of 68 of these workers (14 women and 54 men) soon after they were compensated for their labor.

Government officials continued to see no evidence that TIP was a growing problem within the capital; in fact, anecdotal evidence suggested that sexual exploitation of minors and illegal aliens may be decreasing within Guatemala City and moving to outlying areas in response to the government's anti-TIP operations within the city.

There were no new trends in populations targeted by recruiters or methods used. The majority of victims were young women aged 19 to 25, with the number of minors reportedly increasing in recent years. Girls from poor families or abusive homes, or those attempting to migrate to the U.S. continued to be the most vulnerable to trafficking. Advocates told us that in small towns it was generally known which girls had been sexually abused and that traffickers targeted those girls for exploitation. Most victims were lured by promises of lucrative employment as waitresses, domestic workers, or factory workers, or exploited in their desire to migrate to the United States

in search of work opportunities or reunion with family members. A relatively small number of victims may have known they would be working as prostitutes, but nevertheless were enticed by the offer of better working conditions than those they had previously experienced.

Traffickers utilized various methods of operation, including use of commercial enterprises, such as bars and brothels. Some bar or brothel owners engaged in trafficking to recruit workers for their businesses, while other traffickers operated independently of other commercial activities. Sometimes victims themselves returned to their villages to recruit new victims. Trafficking organizations also varied considerably, ranging in size from family units to highly organized international networks, with small to medium-sized rings predominating. False documents were used extensively, to conceal both age and citizenship status. Victims were not usually kept as slaves; instead, traffickers created conditions of economic, psychological, and often drug dependency. In many cases, victims resisted rescue.

1C. The government has demonstrated political will to address this problem, but its ability to effectively address it has been limited in practice due to lack of resources for prosecution, prevention, and victim protection. Funding for Guatemala's special anti-TIP units, as for most Guatemalan government agencies, has been inadequate. Government actions continue to depend heavily on technical and financial support from local NGOs and international donors. The National Civilian Police (PNC) anti-TIP unit currently has only four personnel, including the unit chief, a secretary (who doubles as an investigator), and two agents dedicated to conducting anti-TIP operations throughout the entire country, and only one vehicle. The PNC is considering transferring this unit to the Organized Crime Unit, which could refocus the PNC's attention away from TIP to other types of crimes. The unit has been conducting joint operations with migration authorities, the Public Ministry, the General Prosecutor's Office, the PNC Criminal Investigation Division, and NGO Casa Alianza. Guatemalan minors found during rescue operations are sent to a judge and then referred to Casa Alianza. Undocumented aliens are deported to their countries of origin and are not treated as trafficking victims.

Similarly, the Public Ministry's anti-TIP unit, which has prosecuted few cases, has only one prosecutor, two investigators, and one vehicle, and no e-mail or Internet access. As its jurisdiction does not extend beyond the capital, TIP cases in other cities and rural areas are handled by local prosecutors who do not have special training in TIP.

Police, prosecutors, and civil society all complained that judges lack proper training and an understanding of TIP issues and working with minors, and frequently undermine their efforts. Civil society continued to stress that the Guatemalan government suffers from a lack of resources. Most agreed that while there have been notable advances against TIP, the government would have accomplished very little without constant pressure and support from civil society.

Notwithstanding weak institutional capacity, the individuals working in the Public Ministry and Police special anti-TIP units were generally regarded as dedicated. The UNICEF office in Guatemala was very positive about the political will of the Guatemalan government to combat trafficking, noting marked improvements in institutionalizing anti-TIP efforts. Guatemala has taken a leadership role in coordinating efforts and sharing information with neighboring countries. Government officials are very proud of that leadership role, which could serve as an incentive to maintain anti-TIP momentum.

¶D. The Guatemalan government has no mechanism to systematically monitor its anti-trafficking efforts; however, the Anti-Trafficking Inter-institutional Working Group, established in 2005 and led by the Foreign Ministry, provides an open forum for debate, legislative proposals, projects, and coordination of efforts. It meets every two to three months to report on activities carried out by the different agencies that comprise the group. The Foreign Ministry publishes a yearly summary of those activities, but does not assess their effectiveness.

The institutions supported by USAID/PASCA and ECPAT (Casa del Migrante in Tapachula and Tecun Uman, Casa de la Mujer, Casa Alianza, and organizations supported by the Catholic Church) all have available a registration system for TIP victims. Coordination with the International Organization for Migration (IOM) has been limited by institutional differences, especially in the area near the border with Mexico.

Prevention

¶A. The Government of Guatemala acknowledges that trafficking is a serious problem. In 2004, the government designed a national strategy and in 2005 established an Inter-institutional Working Group, comprised of government agencies, local NGOs, and international organizations to address the problem. All government actors publicly acknowledge the magnitude of the problem and the need to address it vigorously.

¶B. Twenty-two government agencies, civil society groups, and international organizations participate in the Anti-Trafficking Inter-institutional Working Group, including the Ministries of Foreign Relations, Government (including the National Civilian Police), Labor, and Public Health; the Presidential Secretariats for Social Welfare, Women, and Social Communication; the Attorney General's office; the Presidential Commission on Human Rights; the Judiciary; Congress; ECPAT; Casa Alianza; USAID/PASCA; UNICEF, and IOM. The Foreign Ministry has taken the lead in coordinating anti-TIP efforts. Its leading role may reflect the fact that Vice-Minister of Foreign Relations and human rights activist Marta Altolaquirre led GOG efforts to create a national strategy.

¶C. With the support of USAID/PASCA and ECPAT, the GOG launched a national public awareness campaign in 2006, featuring posters, brochures, and radio broadcasts to educate the public about trafficking, including prosecution and prevention. The GOG also launched a campaign with posters in urban buses to support reform of the penal code and to highlight the trafficking problem. The campaigns, aimed at current and potential trafficking victims, include phone numbers of organizations that victims can call for help. Two additional anti-TIP campaigns were launched in 2006: one developed in collaboration with the governments of El Salvador and Nicaragua at the major border crossings, and another developed in collaboration with NGOs and funded by the USG to raise awareness of TIP.

¶D. The Guatemalan government supports other efforts to prevent trafficking. In 2006, the Ministry of Education, with support from UNICEF, continued its Becaton program to provide students living in extreme poverty with a USD50 yearly stipend to help them stay in school. Many families are so poor that they cannot afford even basic school supplies such as pencils, notebooks, or appropriate clothing; further, many families rely on their children's income to survive. Becaton is aimed at awarding scholarships to motivated students from the poorest families to help them stay in school. In 2005, the Ministry of Education provided approximately USD5 million to 140,000 students; they set out to raise an additional USD1.3 million from private businesses and individuals to cover another 25,000 students.

¶E. Government officials, NGOs, and other relevant organizations and elements of civil society work together closely to fight trafficking. The Anti-Trafficking Inter-institutional Working Group includes representatives from 22 government agencies, NGOs, and international organizations. It met regularly and, by all reports, there was good cooperation among the agencies. Police, immigration authorities, and prosecutors carried out joint operations, with support from NGO Casa Alianza, to rescue trafficking victims from bars and brothels; in many cases, Casa Alianza, with its mobile team of trained investigators, provided the intelligence. However, due to a perceived increase in police corruption, Casa Alianza is re-evaluating its participation in joint PNC operations. Responding to complaints that PNC agents were "tipping off" bar owners prior to raids, a representative from the PNC's Internal Affairs Unit, the Office of Professional Responsibility (ORP), has been participating in joint operations. It is widely believed that, without continuous pressure and support from civil society, the government would have accomplished very little. The Guatemalan government relies on local civil society and international NGOs for their expertise, assessment of the scope of the problem, material support, training programs, investigative capacity, and care of victims.

¶F. Guatemala's borders with Mexico, Belize, Honduras, and El Salvador are mostly uncontrolled, even at official border crossing points. Guatemalan immigration service and law enforcement agencies lack the capacity to screen the borders for potential trafficking victims. According to one NGO, the GOG deports alien TIP victims by simply leaving them at the border. In many cases, they are met by traffickers who pick them up and return them to the bar or brothel from which they were rescued only days or hours previously.

The porous borders, open transit, and lack of adequate control between the countries in the region facilitate the entry and exit of trafficked minors. In Mexico, a more stringent immigration policy has made the transit of migrants between Guatemala and Mexico more clandestine and criminal, placing them at greater risk of becoming trafficking victims. Abuses of trafficking victims and violations of human rights have been documented, as have unexplained disappearances of women being transported across the border. Various newspapers in Hidalgo, Mexico carried advertisements for virgin girls, reportedly from San Marcos, Guatemala, for 1,000 pesos each.

A local NGO noted that Guatemala lacks a clear policy on dealing with undocumented migrants who are possible TIP victims but who are instead treated as irregular migrants. Human smugglers (QcoyotesQ) exploit undocumented migrants by kidnapping them and demanding ransom. Underage coyotes are commonly used because they, unlike adult coyotes, are unlikely to be prosecuted if apprehended. If detained, they are referred to the SBS shelter and then returned to their families. Non-Guatemalans are repatriated directly to their countries of origin.

¶G. Guatemala has a mechanism for coordination and communication among various agencies on trafficking-related matters. The Inter-Institutional Working Group was created in 2005 to oversee implementation of Guatemala's anti-TIP strategy. The Foreign Ministry takes the lead in coordinating those efforts. The group depends heavily on international support. While the GOG does not have an official task force on public corruption, a Presidential Commissioner for Transparency coordinates anti-corruption efforts throughout the GOG. Within the PNC, an Office of Professional Responsibility (ORP) is responsible for investigating wrongdoing by police officers.

¶H. The GOG, in coordination with civil society, developed a national strategy in 2004 to address TIP. The strategy outlined seven areas for action: legislation, prosecution and sanction, prevention, training, protection, information

sharing, and assistance to victims.

The Foreign Ministry has taken the lead in coordinating efforts. Many of the same organizations that comprise the Inter-Institutional Working Group participate in civil society's anti-TIP Dialog Group led by USAID/PASCA, ECPAT and UNICEF, which the Embassy initiated.

Investigation and Prosecution of Traffickers

¶A. In 2005, the Guatemalan Congress passed a law to amend Article 194 of the Penal Code to expand the definition of trafficking and to strengthen the penalties for trafficking. However, some NGOs regard Article 194 as weak because it classifies trafficking as a criminal offense without providing for a mandatory prison sentence; the mandated penalty is minimal (limited to payment of a fine). No new anti-TIP legislation was enacted during 2006. The Inter-institutional Working Group continues to develop broader anti-trafficking legislation that would, among other proposals, specify the responsibilities of the state in areas such as coordination, protection of victims, prevention, public awareness, international cooperation, and training of public servants.

In 2006 judges were still not applying the 2005 anti-TIP amendment. Critics of the law, including Guatemala's Special Prosecutor for TIP, characterized it as "not very applicable." As a result, judges tended to dismiss TIP charges in favor of other criminal charges, such as procurement, corruption of minors, or contracting of illegal aliens. The crime of procurement carries only a fine; the other two crimes carry potential four-year prison sentences, but are commutable to a fine for those without previous convictions. Guatemala's anti-TIP prosecutor admitted that his office had, in effect, stopped trying to use Article 194 in trafficking cases in favor of other charges that are easier to apply. He said that, to be applicable, the law must specifically describe the sanctionable activities.

¶B. The law establishes prison sentences of seven to twelve years for those found guilty of trafficking for any purpose. Sentences are automatically increased by one-third if the victim is a minor and two-thirds if the victim suffers physical harm.

¶C. The law does not differentiate between trafficking for sexual exploitation and trafficking for labor exploitation. The penalty is the same regardless of purpose of trafficking: seven to twelve years, with an automatic increase of one-third if the victim is a minor and two-thirds if the victim suffers physical harm.

¶D. The penal code mandates sentences of six to 50 years for rape convictions. The penal code does not define sexual assault.

¶E. Prostitution, per se, is not a crime in Guatemala; however, pandering, procurement, and inducement to prostitution are illegal. The legal minimum age for prostitution is eighteen. The laws most often applied against brothel owners and operators were procurement, corruption of minors, and contracting illegal aliens.

¶F. The Public Ministry reported 90 trafficking victims (48 women, 20 men, and 22 unidentified), 36 persons suspected of trafficking, and 32 cases filed with the Ministry in 2006. Of the 32 cases, 28 are currently under investigation, 2 were investigated and archived, 1 was dismissed for lack of merit, and 1 was closed. The Public Ministry submitted four requests to the judiciary, including 1 formal accusation, 2 closures, and 1 temporary closure. Of 8 arrests for trafficking in persons in 2006, 6 resulted in substitute measures, such as fine or bail, 1 case was dismissed for lack of merit, and 1 resulted in detention without bail. No convictions were reported.

During the year, the Public Ministry participated in 43 proceedings, including 24 witness testimony, 3 arrest warrants, 2 forensic medical examinations, 2 psychiatric examinations, and 1 investigative order to the PNC.

Casa Alianza participated in 28 rescue operations, in coordination with the National Civilian Police and the Special TIP Prosecutor's Office, in 2006. According to Casa Alianza, these operations resulted in 34 complaints filed with the Public Ministry, of which only one resulted in prosecution, conviction, and sentencing (payment of a fine for corruption of minors). Eleven cases were initiated in 2006 and are pending.

¶G. Trafficking operations vary greatly. Some "rings" are confined to the family unit; most are small to medium in scale, with a few highly organized international rings. Some travel agencies are probably involved. There has been speculation that drug traffickers are involved in human trafficking, but there has been no concrete evidence of such. The PNC anti-TIP unit does not believe TIP rings have strong ties to drug traffickers, although believes they use the same routes to move humans across borders. It also does not believe that gangs are involved in TIP. Bar owners and other businessmen "employing" trafficking victims profit from trafficking; however, there is no evidence to suggest that those profits are systematically channeled to any other beneficiaries.

¶H. Guatemalan law does not allow prosecutors to use information gathered during undercover operations. Evidence gathered by agents in the guise of clients is not allowed in court. Investigators regularly conduct preliminary undercover visits to suspect businesses, but they must return in their official capacity and in uniform to gather evidence and/or make arrests; only evidence gathered during an official investigation or raid may be used in court.

¶I. Both PNC and immigration officials received TIP training from NGO ECPAT. ECPAT trained 70 prosecutors and assistant prosecutors, 62 PNC officers, and 16 immigration officers in 2006 to help them recognize, investigate, and prosecute instances of trafficking. It also provided theoretical and procedural training to 40 new judges at the judicial training school. The Foreign Ministry finalized a Memorandum of Understanding with UNICEF to develop training for Guatemalan consular officers posted in the U.S., Canada, and Central American countries. UNICEF delivered a USG-funded manual with practical checklists to consuls in countries to which Guatemalans are trafficked. The illustrated manual has two sections: one describing responsibilities of the consul in the areas of attention to the victim and repatriation, which is applicable in all countries; the other detailing country-specific instructions, listing government and NGO resources for each country, including telephone numbers and addresses of those organizations. In addition, two training workshops were provided to consuls to support repatriation. In August, a national protocol against trafficking was developed and disseminated.

¶J. The GOG participates in all multinational fora regarding TIP. In addition, the GOG has engaged in extensive bilateral efforts with Honduras, El Salvador, and Nicaragua to combat trafficking in the border areas. In August, the GOG hosted a conference for Central America countries to promote and strengthen regional anti-TIP efforts. In November, regional guidelines for the repatriation of Central Americans were approved in El Salvador.

¶K. The Guatemalan constitution does not prohibit extradition of its citizens; however, an extradition treaty is required. Guatemala has a bilateral extradition treaty with the United States. That treaty, which was signed in 1903, does not specify trafficking in persons among the crimes for which extradition is prescribed. It does,

however, list "kidnapping of minors or adults, defined to be the abduction or detention of a person or persons in order to exact money from them or their families, or for any unlawful end." Guatemala also has a multilateral extradition treaty with the governments of other Central American countries, which requires that the crime be punishable by no less than two years' imprisonment in both countries. In practice, the extradition process is lengthy and complicated.

¶L. At the local level, there were credible reports of police and immigration service involvement and complicity in TIP. It is widely believed that corrupt police warn business owners when a raid is imminent, giving them time to remove any illegal aliens or underage workers from the premises. Responding to that charge, the PNC assigned an official from its Office of Professional Responsibility to participate in anti-TIP operations.

¶M. To date, no government official has been prosecuted for involvement in trafficking or trafficking-related corruption.

¶N. Child sex tourism is generally not considered a problem in Guatemala; however, there were credible reports of a budding industry in specific areas, such as the town of San Pedro on Lake Atitlan. Concerned with preventing the industry from taking hold in Guatemala, UNICEF is working with the Guatemalan tourism board to raise awareness of the problem. It is working on developing a code of conduct with INGUAT-CAMTUR (Guatemalan Tourism Institute and the Guatemalan Chamber of Tourism) and INTECAP (Institute for Technical Training) to discourage the use of tourist activities and services, including taxi drivers and tour operators, for sexual exploitation.

¶O. Guatemala has ratified the following international instruments: ILO Convention 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labor (2001); ILO Conventions 29 and 105 on forced or compulsory labor; the Optional Protocol to the Convention on the Rights of the Child (CRC) on the sale of children, child prostitution, and child pornography (June 2002); and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (April 2004).

Protection and Assistance to Victims

¶A. The Guatemalan government does not provide temporary or permanent residency status or other relief from deportation for adult victims of trafficking; most are quickly deported. Minors are not, as a matter of policy, deported; however, some NGOs claim that underage aliens (who in many cases claim to be adults) are also deported. According to the anti-TIP police unit, 564 illegal aliens were "rescued" from brothels and deported in 2006 for engaging in prostitution. The majority were nationals of Central American countries, with the largest number coming from El Salvador, followed by Honduras and Nicaragua. Approximately 300 minors were rescued during joint operations, with most ending up in the care of NGO Casa Alianza. In addition, Casa Alianza sheltered 15 adult trafficking victims in 2006.

Although it acknowledges that many migrants are victims of trafficking, the Secretariat for Social Welfare (SBS) continues to classify minors as either migrants (Guatemalans deported from the U.S. or Mexico) or victims of sexual exploitation (minors found working in bars and brothels). That is, it has no special program for trafficking victims as such. Most underage Guatemalan migrants are housed at a temporary shelter in Guatemala City or Quetzaltenango for a maximum of four days before being returned to their families or communities; they receive no legal, medical, or psychological services or protection. Non-Guatemalan underage migrants are turned over to the care of the consulates for their respective

countries.

Minors who are identified as victims of sexual exploitation may be sent to one of four government-run shelters, which also care for abandoned children, children with mental disabilities, and other children. SBS acknowledged that a particular weakness of the system is that they have no dedicated shelter for victims of sexual exploitation. Victims are assigned to a shelter by judge's order, which also specifies how long the victim is held. In most cases, victims are turned over to their families, unless it is clear that their families were responsible for the sexual exploitation. According to Casa Alianza, government-run shelters barely provided the basic necessities -- food, healthcare, clothing, etc. -- causing many TIP victims to return to the bar or brothel from which they were rescued.

¶B. The Guatemalan government does not provide funding or other forms of support to local or international NGOs for services to victims. It relies heavily on NGOs to provide services, but provides no remuneration or other support. In fact, Casa Alianza complained that it does everything, from initial investigations, to compiling evidence against traffickers, to long-term follow-up to monitor victims' reintegration into society, without any support from the GOG. Casa Alianza also noted that frequent changes in SBS leadership responsible for the well being of children and adolescents contributed to lack of integrated government attention to this problem. Over the past 18 months, SBS was headed by six different Secretaries, reflecting high turnover in responsibility and oversight and resulting in lack of continuity and institutional knowledge.

Casa Alianza has an arrangement with judges and with the Juvenile Court to receive victims. In 2006, without any financial support from the GOG, it received approximately 300 minors. It also received 15 trafficked women, to whom it provided limited support before reintegrating them.

¶C. Government law enforcement and social services personnel do not have a formal system of identifying victims of trafficking among high-risk persons with whom they come in contact. However, there is a referral process to transfer minor victims who are detained, arrested or placed in protective custody by law enforcement authorities to NGOs that provide long-term care. When a minor victim is taken into protective custody by the State, the government's attorney coordinates with the Secretariat for Social Welfare to provide protection to the victim; a judge refers the victim to a government-run shelter. In practice, most minor victims are turned over to NGO Casa Alianza, which is capable of providing long-term care.

¶D. Adult trafficking victims are generally deported to their countries of origin, although they are not treated as criminals. Minors are usually sent to Casa Alianza and sometimes to a government-run protective shelter. The International Justice Mission (IJM) claims that, in fact, many minor aliens are also deported and do not receive any treatment.

¶E. Victims were encouraged to testify against traffickers; however, in most cases, it was very difficult to gain their cooperation. Victims tended to protect their abusers. Furthermore, it was very difficult to convince minors, most of whom had either false documents or no documents, to admit they were underage. A few individuals did testify and their testimony led to convictions for corruption of minors and contracting illegal aliens. There were several cases in which girls who were clearly minors claimed to be adults. As they had been rescued against their will, the judge handling the cases ordered that they be released. The girls returned to the businesses from which they had just been rescued.

¶F. The Guatemalan justice system has been unable to provide protection for victims and witnesses, which has been a significant impediment to investigation and prosecution of

traffickers. Minors identified as victims of sexual exploitation are sent to one of several inadequate government run shelters; in most cases, arrangements are made for reintegration into the victim's family; when the family is responsible for the abuse to the victim, other arrangements are made, depending on the judge's order. According to Casa Alianza, government-run shelters provided no counseling and barely provided basic necessities; in many cases, victims chose to return to the trafficker, who provides food, shelter, and clothing.

¶G. With substantial support from NGO ECPAT, police and immigration officers were trained in identifying and aiding trafficking victims, particularly children. Guatemalan judges, and particularly the judges who work the night shifts, were identified as the weak link. Those judges lacked training to heighten their awareness of the problem, their knowledge of the law, and their ability to interact with juvenile witnesses. The Foreign Ministry finalized a project with UNICEF to develop training for consuls on how to identify and help TIP victims utilizing the resources of the host country.

¶H. The Secretariat for Social Welfare receives repatriated minors and reintegrates them with their families soon after their return to Guatemala. In the meantime, they are housed at Hogar Elisa Martinez, a temporary shelter in zone 13 in the capital. The Secretariat also runs a shelter in Quetzaltenango for nationals repatriated by Mexico; minors sent to that shelter are also reunited with their families within a few days of arrival. While the Secretariat acknowledges that some of those repatriated minors were probably trafficking victims, they were not treated differently than ordinary migrants.

¶I. Casa Alianza, Casa del Migrante (in Tecun Uman, Guatemala near the Mexican border), and Casa de la Mujer all provide direct shelter, counseling, and services to trafficking victims. With support from USAID, the Oblate Sisters run a shelter and vocational training center for victims and women at risk of being trafficked on the border with Mexico. ILO/IPEC, UNICEF, Catholic Relief Services, and ECPAT, among others, provide financing and counsel to anti-TIP efforts and run prevention programs. The Foreign Ministry, in coordination with USAID, CRS, and ECPAT (G/TIP grantee), is coordinating a national public awareness campaign. In October 2006, Catholic Relief Services, with its implementing partner INCEDES, started a USG-funded project to strengthen the institutional capacity of civil society, religious, and government organizations to promote and defend the human rights of women and minors who are victims of or vulnerable to trafficking for sexual exploitation in Central America. The project focuses on increasing awareness among the general public with emphasis on vulnerable groups about the forms, risks, and consequences of trafficking in persons between Nicaragua, El Salvador, and Guatemala. It also focuses on strengthening the institutional capacity of key government stakeholders, non-governmental and religious organizations to provide services for trafficking victims. ECPTA continued working with Casa del Migrante in the Mexico border area and plans to expand its work to the Honduras and El Salvador border areas.

Casa Alianza assisted 566 children, adolescents, and young mothers and their children. It also provided formal education to 58 children and adolescents and 25 women, and occupational training to 682 children and 32 women. Joint operations rescued 143 persons, and preventive programs targeting street children rescued 43 adolescents.

Nomination of Heroes and Best Practices

Tip Heroes: Post would like to nominate Marta Altolaquirre, Vice Minister of Foreign Relations and former board member of the Inter-American Commission on Human Rights, as a QTIP HeroQ for her exceptional commitment to combating TIP. Altolaquirre played a key role in creating

the Anti-TIP Inter-Institutional Working Group in 2005 to coordinate government and civil society efforts to address the problem. A vocal advocate for the rights of women and children and a high-profile leader in TIP prevention efforts, she has been instrumental in advancing Guatemala's anti-TIP objectives. Post vetting indicates no visa ineligibilities or other derogatory information.

Post would also like to nominate Arturo Echeverria, who served as National Director of Casa Alianza until very recently. Over the past eleven years, Echeverria has worked tirelessly for the well-being of children and adolescents, providing them with more than just basic needs. Casa Alianza has become widely regarded as a prime example of effective, multi-disciplinary care of trafficking victims, homeless or abused children, and other vulnerable children. Highly regarded by the GOG as well as by the NGO community, Casa Alianza is among the most effective and most prominent NGOs in Guatemala. It initiates investigations, participates in joint rescue operations, assists numerous children each year, providing them with long-term shelter, education, occupational training, and a safe, welcoming environment to facilitate reintegration.

Best Practice: Local NGO Casa Alianza has played a pivotal role in the prevention, care and follow-up of child and adolescent victims of trafficking. Casa Alianza has developed an integrated care model that includes working with minors living in the streets and high-risk areas to prevent them from becoming victims of trafficking. It rescues minors who are victims of trafficking, providing them with shelter as well as formal and vocational training. This integrated and comprehensive approach not only helps participants acquire technical, income-generating skills, but also provides legal support in documenting and developing cases for prosecution. Casa Alianza collects and disseminates trafficking statistics, advocates for greater government response to the trafficking issue, and actively participates in proposing and developing legislation and policies to improve the political environment to reduce trafficking in persons.

DERHAM